

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

JOSIE NAVARETTE,
Plaintiff,
v.
MICHAEL J. ASTRUE, Commissioner of
Social Security Administration,
Defendant.

No. CV 12-7566-JVS (AGR)
ORDER TO SHOW CAUSE

Plaintiff filed the complaint on September 11, 2012. Pursuant to this Court's Order dated September 12, 2012, Plaintiff was advised that, under Federal Rule of Civil Procedure 4(m), service of the summons and complaint must be accomplished on each named defendant within 120 days after filing the complaint, which was January 9, 2013. Plaintiff was ordered to file two copies of the proof of service showing compliance with the order. The Court's Order expressly warned Plaintiff that non-compliance "may result in issuance of an order to show cause re dismissal for failure to prosecute." (Order at 1-2.)

To date, no proofs of service have been filed and therefore it appears that no named defendant has been served. Accordingly, pursuant to Rule 4(m) of the Federal Rules of Civil Procedure and Local Rule 41-1,

1 IT IS ORDERED that, within thirty (30) days of the date of this Order, plaintiff shall
2 show good cause, if there be any, why service was not made within the 120-day period and
3 why this case should not be dismissed without prejudice for failure to prosecute. ***If plaintiff***
4 ***does not timely file such a declaration or if plaintiff fails to show good cause for***
5 ***failure to timely serve, the Court will recommend that the action be dismissed***
6 ***without prejudice for plaintiff's failure to prosecute.*** See Fed. R. Civ. P. 4(m); Local
7 Rule 41-1; *Link v. Wabash R.R.*, 370 U.S. 626, 629-30, 82 S. Ct. 1386, 8 L. Ed. 2d 734
8 (1962). Service of the complaint upon each named defendant shall be deemed compliance
9 with this Order to Show Cause.

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13 DATED: January 15, 2013
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ALICIA G. ROSENBERG
UNITED STATES MAGISTRATE JUDGE